UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,486	09/18/2000	Thomas Meier	IBC-0033	4699

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EXAMINER
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ART UNIT	PAPER NUMBER
2135	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/664,486	MEIER, THOMAS
	Examiner	Art Unit
	Thanhnga B. Truong	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/20/2005 (Amendment)*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-11,13-18 and 21-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-11,13-18 and 21-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Applicant's amendment filed on October 20, 2005 has been entered. Claims 1, 4-11, 13-18, 21-24 are pending by the applicant. Claims 2, 3, 12, 19, and 20 have been cancelled and claims 1, 17, and 23 have been amended by the applicant.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 4-11, 13-18, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Want et al (US 5,564, 070), and further in view of Pinnow (US 5,537,102).

      a.   *Referring to claim 1:*

         i.   Want teaches:

            (1)   A method for authorizing access to computer applications using a computer installation which includes a computer station connected to an inter-computer communication network, a read unit in communication with the computer station, and at least one portable object, which is a watch or a bracelet or a necklace or a ring or a card or a badge **[i.e., a tabs have been used as "active badges", (column 2, lines 2-7)]**, said portable object being provided with a personalized electronic circuit which includes first signal transmission and reception means, and a storage means for access words to computer applications, said access words being kept secret by a read and/or write barrier, said storage means having a memory which includes at least one readable verification word, the read unit having second signal transmission and reception means for communicating with the portable object when the latter is located within a determined detection zone of the read unit **[i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds**

tab 26 which maintains wireless communication with the network via transceiver 16. In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18)], wherein the method includes the steps of:

(a) placing the portable object within the determined detection zone of the read unit so that the read unit detects its presence, reads via the first and second signal transmission and reception means the readable verification word of the memory of the electronic circuit and gives the instruction to the computer station to connect itself automatically to the communication network for sending the readable verification word toward a checking file of a determined remote server (i.e., remote host, remote node, remote computer, or remote workstation, etc) in the communication network [i.e., In Figure 2A, user 34 is located in cell 30 and is holding tab 26 (a small stylus-based mobile computer and very portable). User's tab 26 is depicted as displaying the results of a "You Are Here" program which continuously shows user's location in the workplace. This program resides and executes on a remote host (not shown). While in cell 30, tab 26 is in communications and processing connection with this program through wireless links with IR transceiver 16. As user 34 leaves cell 30, the user enters a "dead zone" and network connection with tab 26 is disrupted (column 7, lines 44-54)],

(b) searching in the checking file of the determined remote server to see whether the readable verification word is included in a list of authorized words [i.e., tab 26 is primarily used as a display terminal, allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host, that is for "searching in the checking file of the determined server to see whether the readable verification word is included in a list of authorized words" (column 7, lines 6-9). Furthermore, as can be seen by one skilled in the art, the main function of the gateway is to process either tab packets or agent packets. If the gateway receives a tab packet, the gateway

checks the checksum to verify that the packet was transmitted error-free. It will be appreciated that numerous error detection and correction schemes are well known in the art and that the present invention should not be limited by any one particular scheme (column 10, lines 54-61)],

(c) only if the readable verification word has been found in the list, sending from the checking file of the determined remote server a password towards the computer station and the read unit, and via the first and second transmission and reception means to storage rneans of said personalised electronic circuit, in which access words to computer applications are kept secret by a read and/or write barrier, said password being addressed to storage means to open the read and/or write barrier [i.e., tab 26 is primarily used as a display terminal, that is "to open the read barrier", allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host. In addition, Tab 26 may also report events generated by its user (that is "to open the write barrier") in response to information displayed on its screen. These events may be triggered by pressing mechanical buttons on the tab, or by pressing a stylus against a pressure sensitive display, or by other suitable user interface mechanisms (column 7, lines 6-14). Furthermore, In Figure 2A, user 34 is located in cell 30 and is holding tab 26. User's tab 26 is depicted as displaying the results of a "You Are Here" program which continuously shows user's location in the workplace. This program resides and executes on a remote host (not shown) (column 7, lines 44-48), and whereby the authentication for asking password is included in the program (column 21, lines 1-49)], and

(d) communicating via said first and second transmission and reception means the access words contained in the storage means of the electronic circuit memory of the portable object to the computer station in order to authorize said computer applications to be opened [i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 which maintains wireless communication with the network via transceiver 16. In the presently

preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70, that is for "communicating via said first and second transmission and reception means the access words contained in the storage means of the electronic circuit of the portable object to the computer station in order to authorize said computer applications to be opened" (column 8, lines 9-13). Besides, only applications that are registered with the shell may "talk" to the tab. The agent enforces this rule by comparing the application ID sent to it by the shell against the ID number presented by the application (column 22, lines 53-56).

        ii.   Want teaches the claimed subject matter, however Want is silent about an electronic circuit and a memory included with the portable object capable of communicating with remote server . On the other hand, Pinnow teaches:

        (1)   Referring to Figures 1 and 2, a wrist watch-like electronic key device 1 is attached to the wrist of a user by a band 2, and includes a liquid crystal display 3 that changes according to a pseudorandom sequence at predetermined times. For example, the display may use a quartz crystal oscillator 8 to synchronize the device to a clock at a remote computer station 4 having a display 5. Remote station 4 may be used to monitor a plurality of individual devices identical to device 1 except that the individuals preferably are differentiated by providing a different pseudorandom number sequence for each individual. The positions of the individuals are preferably graphically displayed on display 5. Silicon integrated circuit 7 include a memory (as shown in Figure 2 of Pinnow) need be no more complicated than the circuit used to establish time in a conventional digital wrist watch, except that quartz crystal 8 operates at some frequency other than 32,768 Hz, which is the standard frequency for quartz wrist watches. For example, use of a frequency of 40,000 Hz will cause the digital display 3 to change at a non-standard interval, such as every 41.152 seconds, rather than the standard 60 second interval. Although the sequence need not be truly random, the effect is the same because the sequence cannot be predicted by the user in advance, and thus is pseudorandom. **(column 5, lines 6-29 of Pinnow)**. Furthermore, wrist watch band 2 is integral to the device and carries electrical or optical circuit 12 which interrupts the pseudorandom sequence, when opened, and which may

reset the sequence if the band is subsequently closed. Circuit 12 is shown in dashed line in FIG. 1. This can be accomplished with a standard silicon IC used in wrist watches by connecting battery 9 to the IC via the electronic circuit 12 extending through band 2. In some instances, the device may be worn on an ankle or neck. In these cases, the band must be suitably adjusted **(column 5, lines 51-60 of Pinnow).**

      iii.   It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

      (1)   combine the teaching of Pinnow into Want's system for validating of the identity of an individual **(column 1, lines 11-12 of Pinnow).**

      iv.   The ordinary skilled person would have been motivated to:

      (1)   combine the teaching of Pinnow into Want's system since the wrist-worn device of the preferred embodiment is relatively inexpensive, may be leased or rented to the user for the privilege of avoiding incarceration, and requires no other special electronics in the offender's residence. This greatly reduces the cost of maintaining the system. **(column 4, lines 30-34 of Pinnow).**

      b.   *Referring to claim 4:*

      i.   Want further teaches:

      (1)   wherein the addresses of the computer applications to be opened using access words are contained in the storage means **[i.e., referring to Figure 4, applications 68 are implemented on workstations 74 and 78, these are storage devices (column 8, lines 20-21)].**

      c.   *Referring to claim 5:*

      i.   This claim has limitations that is similar to those of claim 3, thus it is rejected with the same rationale applied against claim 3 above.

      d.   *Referring to claim 6:*

      i.   Want further teaches:

      (1)   wherein the read unit is a peripheral unit connected to the computer station for the supply of electric power and for the mutual transfer of data and/or commands **[i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the**

network. User 34 holds tab 26 which maintains wireless communication with the network via transceiver 16, that is "the read unit". In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18)].

        e.   *Referring to claim 7:*

        i.   This claim has limitations that is similar to those of claim 6, thus it is rejected with the same rationale applied against claim 6 above.

        f.   *Referring to claim 8:*

        i.   Want further teaches:

        (1)   wherein the communication signals between the read unit and the portable object are magnetic or electromagnetic or optical or acoustic signals [i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26, that is "the portable object", which maintains wireless (that is "electromagnetic") communication, with the network via transceiver 16, that is "the read unit". In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18). In addition, although only radio and infrared transmission are employed in the presently preferred embodiment, it will be appreciated that other bands of the electromagnetic and acoustic spectrum might be suitable and that the present invention should not be limited to the use of these two particular frequencies. Additionally, it will appreciated that multiple frequencies may be employed to partition the communication space into non-interfering cells (column 6, lines 53-61)].

        g.   *Referring to claim 9:*

        i.   Want further teaches:

(1)   wherein   the   electronic   circuit   with   the   first transmission and reception means is a transponder having a coil for receiving and transmitting radio-frequency signals for communicating with the read unit **[i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 (that is considered "a transponder having a coil for receiving and transmitting radio-frequency signals") which maintains wireless communication with the network via transceiver 16, that is "the read unit". In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18). Furthermore, A similar communications partitioning is possible with a single radio frequency if the "near field" components produced by an antenna are used to couple the mobile units to the network (column 6, lines 44-47)]**.

    h.   *Referring to claim 10:*

        i.   Want further teaches:

(1)   wherein the electric power supply of the transponder is provided using the radio-frequency signals received from the read unit **[i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 (that is considered "a transponder having a coil for receiving and transmitting radio-frequency signals") which maintains wireless communication with the network via transceiver 16, that is "the read unit" which considers to provide "the radio-frequency signals" (column 6, lines 32-33). In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18). Furthermore, a similar communications partitioning is possible with a single radio frequency if**

the "near field" components produced by an antenna are used to couple the mobile units to the network (column 6, lines 44-47)].

      i.   *Referring to claim 11:*

           i.   Want further teaches:

           (1)   wherein the radio-frequency signals are amplitude modulated for the transmission of data and/or commands **[i.e., referring to Figure 1, Mobile communication and computer units connect to backbone 12 via radio and infrared transceivers 14 and 16 respectively (column 6, lines 33-35), whereby "amplitude modulated for the transmission of data and/or commands" is considered to include in transceivers 14 and 16].**

      j.   *Referring to claim 13:*

           i.   Want further teaches:

           (1)   wherein the read unit is entirely integrated in a mouse pad or a keyboard of the computer station **[i.e. referring to Figure 4, transceiver 16 is connected to networked workstation 72, that is "integrated in a mouse pad or a keyboard of the computer station" by RS-232 cable 70 (column 8, lines 14-15)].**

      k.   *Referring to claims 14 and 15:*

           i.   These claims have limitations that is similar to those of claim 13, thus they are rejected with the same rationale applied against claim 13 above.

      l.   *Referring to claim 16:*

           i.   Want further teaches:

           (1)   wherein the memory of the electronic circuit includes several readable words which are sent to the checking file, and wherein in step b), two additional verification words are calculated using an algorithm in the checking file one of said words being searched in the checking file in order to know whether it is authorised, said additional verification words being stored on their return in the electronic circuit of the portable object in the readable portion of the memory **[i.e., referring to Figure 1 functionally, tab 26 is a simple device. Its speed and memory, that is to "include several readable words which are sent to the checking file", capacity are very modest, thus enabling these devices to be very small and consume little power.**

As a result, tabs 26 are very portable. The presently preferred tab 26 is primarily used as a display terminal, allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host, that is to include "two additional verification words" (column 7, lines 3-9)].

        m.   *Referring to claim 17:*

              i.   Want further teaches:

              (1)   wherein the read unit contains the address of the determined server in a storage module, as well as address initiation software to give the instruction to the work station to connect itself automatically to the checking file of the determined server, as soon as the read unit has detected the portable object **[i.e., if the packet is error free, then the gateway decodes the packet to obtain the "tab number". The tab number is a virtual address assigned to each tab. This number is included in every message sent by the tab to the transceiver. If the gateway has a current communications "queue" set up for this tab, then the gateway appends its address to the packet and send the packet to the queue for transmission to the agent (column 10, lines 62-67 through column 11, lines 1-2)].**

        n.   *Referring to claim 18:*

              i.   This claim has limitations that is similar to those of claim 10, thus it is rejected with the same rationale applied against claim 10 above.

        o.   *Referring to claims 21, 23:*

              i.   These claims have limitations that is similar to those of claim 1, thus they are rejected with the same rationale applied against claim 1 above.

        p.   *Referring to claim 22:*

              i.   This claim has limitations that is similar to those of claims 6, 7, and 12, thus it is rejected with the same rationale applied against claims 6, 7, and 12 above.

        q.   *Referring to claim 24:*

              i.   Want further teaches:

              (1)   wherein the storage means for the access words to the applications are included in the memory of the electronic circuit of the portable

object or in the determined server **[i.e., thus, a ubiquitous computing unit, such as the tab, may only require a small processor and limited memory (for storing data) sufficient to support communication with distributed applications (column 3, lines 17-20 of Want). Furthermore, functionally, tab 26 is a simple device. Its speed and memory capacity are very modest, thus enabling these devices to be very small and consume little power. As a result, tabs 26 are very portable. The presently preferred tab 26 is primarily used as a display terminal, allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host (colulmn 7, lines 3-9 of Want)].**

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

TBT
December 24, 2005